

CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
May 5, 2011

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Alderman Thomas, followed by the Pledge of Allegiance to the Flag. The Minutes of the meeting of April 24, 2011 City Council Meeting and the April 24, 2011 Summary/Final Minutes of the City Council Workshop and City Manager's Briefing were approved upon motion of Alderman Johnson, seconded by Alderman Jones, and carried.

PRESENT: Mayor Otis S. Johnson, Presiding
Mayor Pro-Tem Edna B. Jackson
Alderman Tony Thomas, Chairman of Council
Alderman Van Johnson, II, Vice-Chairman of Council, Aldermen Larry Stuber, Clifton Jones, Jeff Felser, Mary Osborne and Mary Ellen Sprague

City Manager Rochelle D. Small-Toney
City Attorney James B. Blackburn
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

PRESENTATIONS

Michelle Hunter, Project Manager, Charles Elmore, Project Oral Historian, Tony and DaVena Jordan of AWOL, and Courtney McNeil of Telfair Museums, invited City Council members and the public to attend the unveiling of *Ebb and Flow: Life & Community in Eastern Savannah* at the Jepson Center on May 19, 2011.

Sarahlyn U. Argrow, Founder and Executive Director of AWWIN, Inc., invited City Council members to the AWWIN Top Ten Working Women of the Year Awards Gala on May 13, 2011. Alderman Jackson was the in the 2009 Top Ten Working Woman of the Year.

Sarah P. Ward, Director of Historic Preservation at the Savannah-Chatham County Metropolitan Planning Commission, and James Overton, Vice-Chair of the Savannah Historic District Board of Review, informed the City Council and community of upcoming Historic Preservation Month events for May 2011.

Dr. Connie Cooper, Chief Service Officer for the City of Savannah, received a proclamation designating May 25, 2011 as "National Missing Children's Day" in Savannah. This year's emphasis is on "Take 25." Take 25-minutes to talk to children about being safe. Alderman Johnson read the proclamation. Present were Tara Tolbert, School Social Worker and Barry Baker, City's Leisure Services Department. Mayor Johnson expressed his thanks.

Marti Barrow, Executive Director of the Savannah Area Tourism Leadership Council and others received a proclamation designating May 7-15, 2011 as "Travel and Tourism Week" in Savannah. Alderman Thomas read the proclamation. Mayor Johnson thanked them. Alderman Jackson and Felser also expressed their appreciation.

Tripp Faircloth, a 6th grader at Oglethorpe Charter School, was the winner of the Georgia Municipal Association's 12th District "If I Were Mayor, I Would....." essay contest. Mr. Faircloth read his essay to the Council; he went to Atlanta to receive his award at the Brave's Stadium. He introduced his homeroom representative Justin Green, his language teacher Ms. Ramsey and Ms. Nesbitt, along with his proud parents.

Dyanne C. Reese, Clerk of Council, and her staff were recognized honoring National Municipal Clerk's Week, May 1- 7, 2011.

Andy Jex was recognized for watching out for his neighbors and helping police officers catch two suspects. Chief Lovett thanked Mr. Jex for his participation.

Acting Assistant City Manager Marty Johnston recognized City employees for their work on the St. Patrick's Day Festival. Sanitation was recognized earlier. She read the list of departments and expressed there were more not mentioned. It was a successful St. Patrick's Day due to the employee's participation. Mayor Johnson thanked them and expressed the City would not move, or get anything accomplished without the employees.

ZONING HEARINGS

Metropolitan Planning Commission (Z-110322-89661-2): Jim Hansen stated MPC recommended an amendment to Section 8-3112(c)(5)e of the Zoning Ordinance to clarify requirements pertaining to digital billboard technology in certain zoning classifications. The recommended amendments clarify some minor language ambiguities, strengthen distance requirements from residential zones, provide that such signs shall not be permitted within the boundaries of any locally designated Historic District or property as well as any Historic District as defined by the National Historic Register, and require that each billboard have an attached placard identifying the owner and the party responsible for its construction and maintenance and the permit number issued by the Zoning Administrator.

Alderman Thomas expressed his present displeasure of the billboards; especially with billboards not coming down when new ones are installed. Alderman Johnson stated some did come down and that it goes against the City's energy conservation. Alderman Jackson asked when they would be coming down and asked a list be provided Council. Mayor Johnson expressed his concern for the billboards. He said he would support a "master plan" on the billboards. Alderman Osborne stated Council should not make a decision until a master plan was provided and the safety addressed. Alderman Jones also expressed concern. Alderman Sprague requested knowing where potential signs would be for cost assessment and the need for the property in the future. Alderman Thomas stated they were close to creating a monopoly on digital signs. Upon motion by Alderman Johnson, seconded by Alderman Felser and carried, the request was deferred to the June 2, 2011 meeting. Mayor Johnson charged the City Manager to work with the staff of the MPC, and whomever she wanted designate from his staff, to explore the issues raised in the meeting, to come prepared to give the Council answers at the June 2nd meeting.

PETITIONS

James Reardon for Kehoe-Morgan Properties LLC – Petition 13180, requested to encroach onto the City right-of-way behind 125 Martin Luther King Jr. (MLK) Boulevard (PIN 2-0016-22-006) to construct a new landing with stairs. The right-of-way is the alley that runs behind the businesses on the west side of MLK Boulevard between Zubley and Alton Streets. The new landing with stairs will provide the second means of egress needed for the planned mixed use occupancy of mercantile and assembly. There is a similar landing with stairs in the same alley for an adjacent building (which was approved by Council). The requested encroachment is consistent with zero lot line construction in the Historic District. The petition has been reviewed by Water Resources and Public Works, Sanitation, and Development Services. None of the departments object to the request. All City permitting and construction guidelines must be followed, and the exterior landing must meet all federal, state and local codes. Recommend advising the petitioner that the encroachment grants no ownership rights to the property and that, if ever required, the structure(s) must be removed at the petitioner's expense. (See attached aerial photo.)

Upon motion by Alderman Johnson, seconded by Alderman Thomas and carried, the petition was approved.

ORDINANCES

First and Second Readings

Ordinance read for the first time and a second time in Council May 5, 2011, placed upon its passage, adopted and approved upon motion of Alderman Johnson, seconded by Alderman Felser and carried.

Parking Meters Request - 400 Block E. Macon Street. An ordinance to authorize two-hour parking meters on the north side of the 400 Block of East Macon Street as requested by residents to encourage parking turnover during business hours.

AN ORDINANCE To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 218 (c) OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SECTION 7-1062 OF SAID CODE TO PROVIDE THAT TWO HOUR PARKING METER ZONES BE ESTABLISHED ON CERTAIN STREETS NAMED HEREIN; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 218 (c) of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1062 of said Code, as amended, shall be amended by adding thereto the following:

AMEND SECTION 218 (c) , PARAGRAPH E

On the north side of East Macon Street between Habersham Street and Price Street.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED THIS 45TH DAY OF MAY, 2011, UPON MOTION BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN FELSER AND CARRIED.

Upon motion of Alderman Thomas, seconded by Alderman Felser and carried, the following **bids, contracts and agreements** were approved:

BIDS, CONTRACTS AND AGREEMENTS

Curbside Carts – Annual Contract – Bid No. 11.072. Awarded an annual contract to procure curbside carts from Otto Industries in the amount of \$57,820.00. The carts will be used by Residential Refuse to replace deteriorated carts and for additional customers. The reason for not awarding to the low bidder is that Schaefer Systems International, Inc. is unable to hold pricing on their carts for a year as specified in the bid specifications. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, Cart Replacement Fund/Office Furniture/Equipment (Account No. 513-0000-51520).

Water Meters – Annual Contract – Bid No. 11.068. Awardee an annual contract to procure water meters from Badger Meter (Part B Items 2 and 4, Part C Items 9, 13, 15, 20 and 23, Part D Item 2, Part E Items 1-3) in the amount of \$804,219.00, from HD Supply (Part C Items 1 and 5 and Part D Item 4) in the amount of \$100,800.00, from Neptune Technology Group (Part A Items 1-3, Part B Item 5, Part C Items 17 and 21, and Part D Item 3) in the amount of \$88,862.50 and from Mueller systems (Part D Item 1) in the amount of \$6,000.00 for a grand total of \$999,881.50. The meters will be maintained in inventory at the Central Warehouse and used by Water Distribution to replace meters that are no longer working and for new service. The low bidders not meeting specifications are not being selected for the following items: Part A Item 1, Part C Items 1, 5, 9, 13, 17, 21 and 23 because the low flow performance of the submitted meters will not measure as

accurately and reduce the productivity/revenue of the meter. The turbine water meters submitted as low bid for Part C Items 3, 4, 7, 8, 11, and 12 was not selected because turbine meters do not register at low flows and will not be utilized in the water distribution system. Some items are not being awarded at this time as the bid was structured to allow all bidders to submit their versions of the automated meter reading meters that could be used with the City's standardized Badger/Orion radio modules. The lowest cost of each of these units that met the required performance was then selected.

Delivery: 28-40 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Water & Sewer Operating Fund/Water Distribution/Construction Supplies and Materials (Account No. 521-2503-51340).

Edgemere/Sackville Curb and Gutter and Water System Improvements – Summary Contract Modification No. 6 – Bid No. 08.313. Approved a Summary Contract Modification No. 6 to BRW Construction in the amount of a deduction of \$127,861.38.

This project involved the construction of the Edgemere/Sackville Neighborhood Curb and Gutter and Water System improvements which provided new curb and gutter, new pavement, and a new water system for E. 53rd, 54th, and 55th Streets between Waters Avenue and Ash Street. The project is substantially complete and costs were reduced due to owners electing not to have driveway pads installed, an 8" water main on 54th Street that was determined to not need replacement and by utilizing good project inspection and management practices. The Summary Change Order is a net deduct of \$127,861.38 with no change to the contract time for the project. Capital Improvements Fund/Capital Improvements Projects/Other Costs/Edgemere/Sackville Curb & Gutter (Account No. 311-9207-52842-SP207).

Access Control Systems – RFP No. 09.152D. Approval to procure an access control system from NetPlanner Systems in the amount of \$26,062.69. The proposed system will be installed in the Emergency Command and Control Center. The contract for the access control system was approved by City Council on September 24, 2009 to provide the same equipment at other City facilities and consistency throughout all City facilities as a primary goal of the original bid. The recommended system meets or exceeds the technical requirements, has reporting capabilities that will improve security, and provides the greatest flexibility while ensuring the City's facilities maintain security. Delivery: 15 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Cost/Command Control Center (Account No. 311-9207-52842-PB526).

ArcView, ArcGis, ArcInfo, ArcEditor Software Maintenance for GIS System – Sole Source – Requisition No. 11203431. Approval to procure ArcView software maintenance from ESRI in the amount of \$34,650.73. The annual contract will be used by Information Technology to maintain the geographic information system (GIS) software. The reason why a sole source vendor is required is that the software maintenance is only available from the software publisher. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, Internal Service Fund/Information Technology/Data Processing Equipment Maintenance (Account No. 611-1140-51251)

Scrap Metal Recycling – Annual Contract Renewal – Bid No. 11.095. Renewed an annual contract for the sale of scrap metals to Southern Metals Recycling, Inc. in the revenue amount of \$101,400.00. The scrap metal is collected at the Dean Forest landfill and other City locations and delivered to the contractor for recycling. Scrap disposed of in this manner includes appliances, steel wheels, and other refuse collected at the landfill as well as scrapped parts from repairs made to City equipment. The bid requested pricing on scrap delivered by City staff to the recycler as well as scrap stockpiled at the landfill for pick up by the contractor. The landfill has limited space to stockpile scrap so the contract award recommendation is made on the basis of Item 1-only, scrap delivered to the recycler, which makes up the bulk of the scrap sold. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, Various Revenue Accounts.

Recycled Crushed Aggregate Stone – Annual Contract Renewal – Bid No. 11.101. Renewed an annual contract to procure recycled crushed stone for Items 1, 3 and 5 (recycled #4 with wire, rip rap with wire and crusher run) from ADRS Services in the amount of \$47,600.00, and Items 2 and 4 (recycled #4 and rip rap without wire) from Griffin Construction, Inc in the amount of \$12,593.75. The recycled stone and crusher run will be used by the landfill for traction and roads. The low bidder meeting specifications was selected for each item. Delivery: As Required. Terms: Net-30

Days. Funds are available in the 2011 Budget, Sanitation Fund-Operating/Refuse Disposal/Construction Supplies & Materials (Account No. 511-7103-51340).

Kubota and Other Tractor Parts – Annual Contract Renewal – Bid No. 11.092. Renewed an annual contract to procure Kubota and other heavy tractor parts from Hendrix Machinery, Inc. in the amount of \$33,000.00. The parts will be used by Vehicle Maintenance to repair and maintain tractors and heavy equipment. Although over 100 vendors were solicited, only one bid was received. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, Internal Service Fund/Inventory Vehicle Parts (Account No. 611-0000-11325).

Gasoline and Diesel Fuel – Annual Contract Renewal – Bid No. 11.102. Renewed an annual contract to procure transport truck loads of unleaded fuel in the amount of \$1,665,423.67 and transport diesel fuel in the amount of \$1,767,664.48 from The Sommers Company for a total amount of \$3,433,088.15. Recommend approval to procure tank wagon loads of unleaded fuel in the amount of \$142,370.28 and tank wagon diesel fuel in the amount of \$26,815.50 from Barrett Oil Distributors for a total amount of \$169,185.78. Barrett's original bid was \$143,339.00 and \$26,998.00. Under the local preference ordinance, Barrett has agreed to match the non-local low bidder's bid for tank wagon diesel and gasoline. The fuel will be used by various City departments. This is a cooperative bid which was solicited by Chatham County. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, Internal Service Fund/Inventory-Gasoline/Diesel (Account Nos. 611-0000-11350 and 11340).

OTHER BUSINESS

Alderman Jones proposed a Charter amendment, in giving a 10% cost of living increase to the new Council Members in 2012. They should receive an increase after their first year on Council. He also proposed the Mayor Pro-Tem receive a \$1,000.00 increase. There is inflation on everything and he was looking for some type of moderate increase to help Council as they go along with their duties. He did not think it would be a problem with the budget.

Alderman Jones also asked to remove the bond issue off the table and put it back on the agenda for discussion. Attorney Blackburn stated it was not a Charter issue, but an ordinance issue; an ordinance was prepared and tabled. He said the ordinance could be amended or a new ordinance could be brought before the Council. Alderman Jones stated the one-million dollar bond situation has not been clarified. The Charter requires a \$50,000 bond for the City Manager. Mayor Johnson stated at the June 16th meeting they would discuss the amount for the surety bond for the City Manager. There has been a study done of similar communities and what they require. The survey will be prepared and distributed. Alderman Jones proposed the bond be \$100,000.00 and effective January 1, 2012. City Attorney Blackburn stated this was information only and not in ordinance form. Mayor Johnson asked the Clerk of Council to get with the City Manager and prepare a document to be given to the City Attorney, all Council Members, the press, and the public. Council would then make a decision to do nothing and leave it as it is or change the amount; and the City Attorney will then draft an ordinance for two readings. Alderman Stuber stated he had no interest in re-visiting the issue and he thought the next Council should deal with it; several Council Members were in agreement. Citizen Elizabeth Mancha, residing on Marina Drive, stated the Attorney General made it clear that last minute items added to the agenda should be strictly limited. She stated she did not feel that re-visiting the bond issue and cost of living increase is considered last minute. Mayor Johnson stated that is the reason that no action was being taken.

Alderman Johnson stated sometime Government moves fast, sometime slow; 2-weeks ago Alderman Sprague mentioned the Styrofoam cups being used and now they have paper cups. He wanted to thank the Mayor's staff Sharonte Turner and Edith Gregory for their quick response.

Alderman Felser thanked the citizens of Savannah, the City Manager, and City staff for the Earth Day activities and turn out. There was a tremendous outpour from the citizens. He stated he hope they could look at doing it once a quarter, because saving paint cans for a year is a bit much.

Alderman Felser also requested an update on the Savannah River Landing. City Manager Toney stated she had answered a few emails and that this was part of the financial report at the next Council Workshop.

Alderman Thomas commended the City Manager on the trimming of the palm trees on Victory Drive.

Alderman Thomas stated he would not be at the May 19th Council Meeting because he would be representing the City of Savannah at the National League of Cities' Community and Economic Development Steering Committee Meeting.

Mayor Johnson stated he was still advocating for better signs on the entry-ways of the City. City Manager Toney stated they were on order.

Alderman Jackson stated she commended Ms. Toney and her staff for the sidewalks on MLK Blvd.

Alderman Osborne stated she had a note to pass onto the City Manager regarding an inter-city street; the 700 block of Duckett Street where it seems the property owners have installed their own sidewalks. She asked the City Manger to research this.

Alderman Jackson made a motion to go into Executive Session to discuss litigation, seconded by Alderman Felser and carried. City Attorney Blackburn stated the item of litigation was a suit filed in august 2009 where David Willis lost his life in an altercation in which police were involved.

There being no further business, Mayor Johnson declared this meeting of Council adjourned.

A handwritten signature in cursive script, reading "Dyanne C. Reese", written in dark ink on a light-colored rectangular background.

Dyanne C. Reese
Clerk of Council